

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, ) CRIM. NO. 04-30046-MAP  
 )  
 vs. )  
 )  
 ALBERT INNARELLI, ET AL., )  
 )  
 \_\_\_\_\_ Defendants. )

PARTIES' JOINT MEMORANDUM PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by and through Michael J. Sullivan, United States Attorney for the District of Massachusetts, and William M. Welch II, Assistant United States Attorney, hereby files this joint memorandum pursuant to Local Rule 116.5(A) and the Magistrate Judge's Scheduling Order.

1. The parties agree that relief should be granted from the otherwise applicable timing requirements imposed by Local Rule 116.3. This case has been designated a complex case. In addition, defense counsel for those original defendants with new charges have been requesting discovery of additional loan files, which have been delivered to the designated copy center for copying.

2. Some of the defendants have requested discovery under Rule 16(a)(1)(E).

3. Other than the loan files and related documents for the new counts in the Superseding Indictment, the parties do not

expect to provide any additional discovery in the future.

4. The parties agree that a motion date should be set under FRCP 12(c) at this time.

5. Attorneys Bongiorni and Kelly formerly represented individuals that most likely will be called as witnesses by the Government in this case. Therefore, there may be conflicts of interest that the court may need to address.

6. Excludable delay should be ordered under 18 U.S.C. § 3161(h)(8)(A) and Local Rule 112.2(A)(1), (2), and (3) from the last date of the arraignments upon the Superseding Indictment, which occurred on October 5, 2005, to the present. Given this case's designation as a complex case, no time has run on the Speedy Trial Clock.

7. The parties believe at this point that a trial should be anticipated. At this time, the Government would estimate a trial of two months.

8. A final Status Conference has been set for January 18, 2006.

Filed this 7th day of December, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

  
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WILLIAM M. WELCH II  
Assistant United States Attorney

For defendant Albert Innarelli

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Counsel for defendant Innarelli

For defendant Michael Bergdoll



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STEVEN LEARY, ESQ.  
Counsel for defendant Bergdoll

For defendant Anthony Matos:



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VINCENT BONGIORNI, ESQ.  
Counsel for defendant Matos

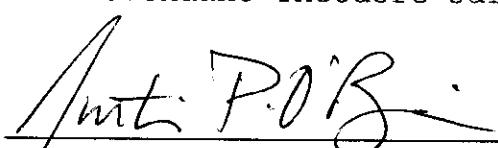
For defendant Pasquale Romeo



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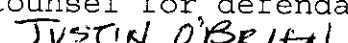
MICHAEL JENNINGS, ESQ.  
Counsel for defendant Romeo

For defendant Theodore Jarrett

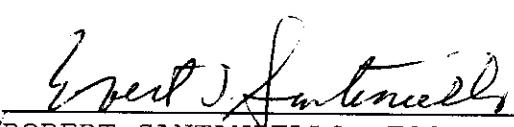


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MARIA DURANT, ESQ.  
Counsel for defendant Jarrett

 JUSTIN O'BRIEN

For defendant Mark McCarthy



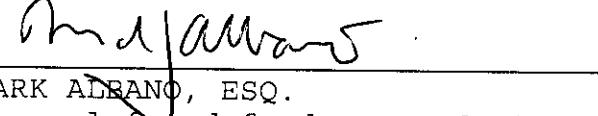
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JACK ST. CLAIR, ESQ.  
Counsel for defendant Smith

For defendant Jonathan Frederick

  
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MARK ALBANO, ESQ.  
Counsel for defendant Frederick

For defendant Joseph Sullivan

  
\_\_\_\_\_  
DANIEL KELLY, ESQ.  
Counsel for defendant Sullivan

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts  
December 7, 2005

I, William M. Welch, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by faxing said motion to:

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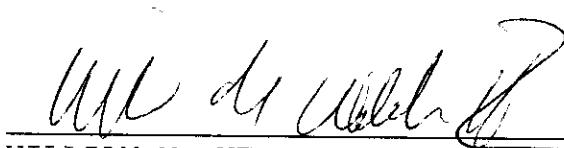
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